



August 2, 1999

Mr. Steven J. Duskie
Police Legal Advisor
City of Corpus Christi
P.O. Box 9016
Corpus Christi, Texas 78469-9016

OR99-2176

Dear Mr. Duskie:

You have asked whether certain information is subject to required public disclosure under the Texas Public Information Act, chapter 552 of the Government Code. Your request was assigned ID# 127901.

The Corpus Christi Police Department (the "department") received a request for statements and identification of "the accusers-witnesses" in a police report. You have provided the requestor with a redacted police report that withholds the names of various individuals. You assert that the redacted information is protected from disclosure under sections 552.101 and 552.108 of the Government Code.

Section 552.108(a)(1) provides an exception from disclosure for information that is held by a law enforcement agency or prosecutor and that deals with the detection, investigation, or prosecution of crime, when release of such information would interfere with the detection, investigation, or prosecution of crime. Section 552.108(c) provides that basic information about an arrested person, an arrest, or a crime is not protected from disclosure under section 552.108. We believe that such basic information refers to the information held to be public in *Houston Chronicle Publishing Co. v. City of Houston*, 531 S.W.2d 177 (Tex. Civ. App. --Houston [14th Dist.] 1975), writ ref'd n.r.e. per curiam, 536 S.W.2d 559 (Tex. 1976).

It is our understanding that the report concerns a shooting incident that you indicate is still under investigation. The type of information that is considered to be public front page offense and report information is as follows:

1. Arrestee's social security number, name, aliases, race, sex, age, occupation, address, police department identification number, and physical condition
2. Offense for which suspect arrested
3. Identification and description of complainant
4. Location of crime
5. Time of occurrence
6. Vehicle involved
7. Property involved
8. Detailed description of offense
9. Name of arresting officers
10. Date and time of arrest
11. Place of arrest
12. Details of arrest
13. Description of weather
14. Booking information
15. Court in which charge is filed
16. Notation of any release or transfer
17. Bonding information
18. Numbers for statistical purposes relating to modus operandi of those apprehended

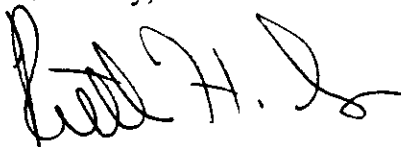
Open Records Decision No. 127 (1976).

We note that while front page information usually includes the identity of complainants, information about witnesses and statements of informants may be withheld from disclosure under section 552.108(1). Open Records Decision No. 127 (1976). After reviewing the

department's arguments, the original offense report, and the redacted version supplied to the requestor, we conclude that the redacted information may be withheld from disclosure under section 552.108(a)(1) of the Government Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy
Assistant Attorney General
Open Records Division

RHS/ch

Ref: ID# 127901

Encl. Submitted documents

cc: Mr. Michael White
2554 Lincoln Boulevard
Marina Del Rey, California 90291
(w/o enclosures)